

GOVERNMENT

SIKKIM



GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok

Monday 25th September, 2023

No. 321

**GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK**

No. 57/Home/2023

Dated: 14.09.2023

NOTIFICATION

In compliance of the direction of National Human Rights Commission vide D.O No. L-19/12/2022-Law dated 2nd May, 2022, the State Government is hereby pleased to frame the policy for payment of compensation on account of death of prisoners in Correctional Homes or Prisons in the State of Sikkim as follows, namely :-

1. Compensation shall be paid to the next of kin or legal heirs of prisoners on account of unnatural deaths, in the following cases, namely :-

Sl. No.	Particulars of Unnatural death	Minimum Limit of Compensation
01.	Death by Suicide	Rs. 3.00 Lakh
02.	Death due to injury by other Prisoners	Rs. 4.00 Lakh
03.	Death due to Injury by self	Rs. 3.00 Lakh
04.	Death due to Injury by any correctional Home employee	Rs. 5.00 Lakh
05.	Death due to Medical negligence	Rs. 5.00 Lakh
06.	Death due to any other reason	Rs. 3.00 Lakh

2. Compensation shall not be admissible in the following cases, namely :-

- (i) In case of natural death including illness.
- (ii) Unnatural death which occurred during escape from Prison or from other lawful custody, outside jail.
- (iii) Death occurred due to any natural disaster or calamity. However, the next of kin of the deceased prisoners who died due to natural disaster or calamities inside the jail may claim compensation as admissible under any other law in force subject to fulfilment of the requirement under such law.

3. The Superintendent of the Jail concerned shall send a detailed report along with the copy of the Magisterial Enquiry Report, Post-Mortem Report, cause of death, medical history at the time of admission in jail and the details of medical treatment, if any, provided to the prisoner prior to his custodial death, to the Home Department for grant of appropriate compensation.

By order and in the name of the Governor.

**A. Sudhakar Rao, IPS
Additional Chief Secretary
Government of Sikkim
File No. Home/Confld./111/2022/11**